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Notice of Allowability

Application No.

10/066,430

Examiner

Roberta A. Shand

Applicant(s)

CHIU ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed October 6, 2006.
2. ☒ The allowed claim(s) is/are 1, 4-7 and 10-16, renumbered 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
 Paper No./Mail Date 12/12/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
 of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
 Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance: the prior art does not teach or fairly suggest a method for selecting routing information to be provided to forwarding devices in a communication network, comprising: obtaining information describing a plurality of alternative routes between forwarding devices of said communication network from a single routing table, wherein said plurality of alternative routes is deadlock free; selecting a final enabled routing from said plurality of alternative routes, *wherein said selecting optimizes a performance metric, wherein said performance metric is network capacity, wherein selecting the final enabled routing further comprises: determining a first set of data flows between end nodes attached to said communication network, wherein said first set of data flows is determined, at least in part, responsive to a first one of said alternative routes; determining, responsive to said first set of data flows, a first standard deviation, wherein said first standard deviation describes a distribution of said first set of data flows across links in said communication network; determining a second set of data flows between end nodes attached to said communication network, wherein said second set of data flows is determined response to a second one of said alternative routes; determining, responsive to said second set of data flows, a second standard deviation, wherein said second standard deviation describes a distribution of said second set of data flows across links in said communication network; comparing said first standard deviation and said second standard deviation; selecting said first one of said alternative routes in the event that said first standard deviation is lower than said second standard deviation; and selecting said second one of said alternative routes in the event*

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that said second standard deviation is lower than said first standard deviation; and delivering a forwarding table to each forwarding device in said communication network, the forwarding tables containing no alternative routes and causing the forwarding devices to implement the final enabled routing, as recited in independent claims 1, 7, 15 and 16.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A. Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.

4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Roberta A Shand
Examiner
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HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600